

REMARKS

The Office Action mailed June 13, 2005 has been reviewed and carefully considered. Claims 5, 6 and 19 have been rewritten into independent form, but have not otherwise been revised. Base claims 1 and 17 are correspondingly canceled. Claims 2-16 and 18-20 are pending, the independent claims being 2, 5-7, 11 and 19. Claims 2-8, 11-14, 18 and 19 are amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 8, 14, and 18 stand objected to for informalities believed to be addressed in the claim amendments.

Claims 2 and 3 stand rejected under 35 U.S.C. 112, second paragraph, as indefinite for omission of the word "said," which has now been added.

Claims 1-4, 11-15, 17 and 18 stand rejected under 35 U.S.C. 102(a) as anticipated by International Publication No. WO01/11548 to Wake Forest University ("WFU").

Claim 2, as amended, recites, ". . . wherein said identifying comprises analyzing a plurality of reports generated at a particular site."

WFU does not seem to disclose this feature, and the passage cited by the Office Action does not appear to relate to "said identifying."

Claim 11, as amended, recites:

means for selectively applying the plurality of diagnostic findings to generate the diagnostic report, subject to verifying that a candidate finding of the plural findings to be applied is encoded with a language identifier indicative of a match with an operator desired reporting language

Support for the amendment of claim 11 is found in claim 5, and is deemed to distinguish patentably over the prior art of record for reasons set forth in the following section relating to the ground of rejection for claim 5.

Likewise, claim 18 now depends from claim 19, which is worded similarly to claim 5 and is deemed patentable over the prior art of record.

Claims 7 and 9 stand rejected under 35 U.S.C. 103(a) as unpatentable over WFU.

Claim 7, as amended, recites:

using the language encoded database in a physician-directed iterative process to identify diagnostic findings responsive to a plurality of observed images; and providing access to a multi-lingual reporting physician to an editor, wherein the physician generates, in a desired reporting language, customized diagnostic findings that are subsequently subject to said process to identify

WFU discloses a radiologist annotating image coordinates with anatomical: pathological codes, and translation of a radiologist's report to the end-user into a different language by means of look-up tables.

However, WFU fails to disclose that a "physician generates, in a desired reporting language . . . that are subsequently subject to said process to identify."

Regarding claim 9, it depends from claim 7, and therefore is likewise regarded as patentable over the prior art of record. In addition, claim 9 recites, ". . . previously approved . . .," and there is apparently no support in WFU for concluding that this feature of claim 9 would have been obvious.

Claims 5, 6, 8, 10, 16, 19 and 20 stand rejected under 35 U.S.C. 103(a) as unpatentable over WFU in view of U.S. Patent No. 5,802,495 to Goltra.

Claim 5, now in independent form, recites:

using the language encoded database in a physician-directed iterative process to identify diagnostic findings responsive to a plurality of observed images, wherein using comprises verifying that a diagnostic finding is encoded with a language identifier indicative of a match with an operator desired reporting language before adding the diagnostic finding to a report

The Office Action refers to the expression "tells the system . . ." at the bottom of column 5 in Goltra for this feature.

However, it appears that when the Goltra healthcare professional selects Spanish, the report generating will select stored phrases and sentences with codes that indicate Spanish. It is unclear how verification can be said to enter into this process.

The other claims rejected under this ground likewise recite "verifying" and are likewise deemed to distinguish patentably over the prior art of record.


A check is enclosed for \$600.00 in payment of the fee for adding three additional, independent claims in excess of three total.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

John Vodopia
Registration No. 36,299

Date: September 13, 2005

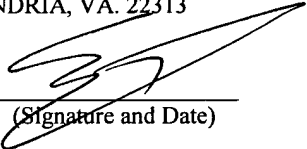

By: Steve Cha
Attorney for Applicant
Registration No. 44,069

Mail all correspondence to:
John Vodopia, Registration No. 36,299
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9624
Fax: (914) 332-0615

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA. 22313 on September 13, 2005.

Steve Cha, Reg. No. 44,069
(Name of Registered Rep.)


(Signature and Date)